
By: **Delegates Myers, Bartlett, Bates, Boschert, Eckardt, Edwards, Elliott,
Frank, Gilleland, Goodwin, Jennings, Kelly, King, McKee, McMillan,
Miller, O'Donnell, Ramirez, Shank, Stull, and Weldon**

Introduced and read first time: February 4, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Emissions Inspection Program - Newly Titled Vehicles - First**
3 **Inspection**

4 FOR the purpose of providing that, for a vehicle that has not been titled or registered
5 previously in any jurisdiction, the first exhaust emissions test and emissions
6 equipment and misfueling inspection required under the State's vehicle
7 emissions control program may not be required until a certain time period after
8 the date the vehicle is titled; providing for the application of this Act; and
9 generally relating to the vehicle emissions inspection program.

10 BY repealing and reenacting, without amendments,
11 Article - Transportation
12 Section 23-202(a)
13 Annotated Code of Maryland
14 (2002 Replacement Volume and 2003 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 23-202(b)
18 Annotated Code of Maryland
19 (2002 Replacement Volume and 2003 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Transportation**

23 23-202.

24 (a) (1) Subject to subsection (d) of this section, the Administration and the
25 Secretary shall establish an emissions control program in the State in accordance
26 with the federal Clean Air Act.

1 (2) The program shall remain in effect only as long as required by federal
2 law.

3 (b) (1) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE
4 emissions program shall provide for a biennial exhaust emissions test and emissions
5 equipment and misfueling inspection for all vehicles of the 1977 model year and each
6 model year thereafter.

7 (2) The emissions control program may not authorize an exhaust
8 emissions test or emissions equipment and misfueling inspection for any vehicle of a
9 model year earlier than the 1977 model year.

10 (3) FOR A VEHICLE THAT HAS NOT BEEN TITLED OR REGISTERED
11 PREVIOUSLY IN ANY JURISDICTION, THE FIRST EXHAUST EMISSIONS TEST AND
12 EMISSIONS EQUIPMENT AND MISFUELING INSPECTION FOR THE VEHICLE MAY NOT
13 BE REQUIRED UNTIL 3 YEARS AFTER THE DATE THE VEHICLE IS TITLED.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
15 construed to apply only prospectively and may not be applied or interpreted to have
16 any effect on or application to any vehicle that has not been titled or registered
17 previously in any jurisdiction and that is titled before the effective date of this Act.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2004.